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INFORMATION DISCLOSURE STATEMENT

Attorney Docket No.

14098/1013

Serial No.

10/036289

Applicant(s): Edberg, Stephen C.

Filing Date: October 24, 2001

Group: 1651

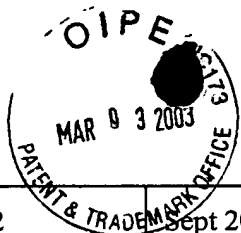
U.S. PATENT DOCUMENTS

Examiner Initial		Patent No.	Date	Name	Class	Subclass	Filing Date (if appropriate)
RG	4	4812409	May 14, 1989	Babb, et al.	435	7	
	5	5292644	March 8, 1994	Berg			
	6	3496066	February 17, 1970	Berger, et al.			
	7	3870601	March 11, 1975	Warren, et al.			
	8	4129483	Dec 12, 1978	Bochner			
	9	4235964	Nov 25, 1980	Bochner			
	10	4208480	June 17, 1980	D'Amato, et al.			
	11	4925789	May 15, 1990	Edberg	435	38	
	12	5429933	July 4, 1995	Edberg			
	13	3206317	Sept 14, 1965	Golber			
	14	4622297	Nov 11, 1986	Kappner, et al.			
	15	4675289	June 23, 1987	Kanou, et al.			
	16	4591554	May 27, 1986	Koumura, et al.			
	17	4245043	Jan 13, 1981	Lund			
	18	5393662	Feb 28, 1995	Roth, et al.			
	19	5004684	April 2, 1991	Simpson, et al.			
	20	4803162	Feb 7, 1989	Smith, et al.			
	21	4837154	June 1989	Spiegel	435	253.6	
	22	5610029	March 11, 1997	Ehrenfeld	435	34	
	23	5242805	Sept 7, 1993	Naleway	435	18	
	24	5605812	Feb 25, 1997	Zomer	435	38	
	25	5620865	April 15, 1997	Chen	435	34	
	26	5633144	May 27, 1997	Bitton	435	38	

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FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Class	Subclass	Translation	
							YES	NO



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27	0332752	Sept 20, 1989	EPA (Giammanco)				
28	2005410	Sept 28, 1978	GP (Gayral)				
29	0025467	Sept 12, 1979	EPA (Rambach, et al)				
30	0059645	March 3, 1982	EPA (James)				
31	3419327	May 24, 1984	Germany (Backes)				

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OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

1. RG		November 24, 1997 Markman Ruling relating to U.S. Patent No.: 4,925,789; Environetics, Inc. et al. V. Millipore Corp.
2.		June 4, 2001 Ruling on Cross Motion for Summary Judgement relating to U.S. Patent Nos. 4,925,789; 5,429,933 and 5,780,259; Stephen C. Edberg, et al. V. CPI (3:98CV716).
3.		August 16, 2001 Ruling on Plaintiffs Motion for Reconsideration of the June 4, 2001 Ruling.
32.		"Bacteriological Ambient Water Quality Criteria for Marine and Fresh Recreational Waters", <u>Ambient Water Quality Criteria for Bacteria</u> , USEPA (1986)
33.		Berg, et al., "Rapid Detection of Total and Fecal Coliforms in Water by Enzymatic Hydrolysis of 4-Methylumbelliferone- β -D-Galactoside," <u>Applied and Environmental Microbiology</u> 54:2118-2112 (1988).
34.		Brenner, et al., "New Medium for the Simultaneous Detection of Total Coliforms and <i>Escherichia coli</i> in Water," <u>Applied and Environmental Microbiology</u> 59:3534-3544 (1993).
35		Cabelli, et al., "A Marine Recreation Water Quality Criterion Consistent with Indicator Concepts and Risk Analysis," <u>Journal WPCF</u> 55:1306-1314 (1983).
36		Cabelli, "Swimming-Associated Illness and Recreational Water Quality Criteria," <u>Wat. Sci. Tech.</u> 21:13-21 (1989).
37		Dahlen and Linde, "Screening Plate Method for Detection of Bacterial β -Glucuronidase," <u>Applied Microbiology</u> 26:863-866 (1973).
38		Damare, et al., "Simplified Direct Plating Method for Enhanced Recovery of <i>Escherichia coli</i> on Food," <u>J. Food Science</u> 50:1736-1738 (1985).
39		DeMan, "The Probability of Most Probable Numbers," <u>European J. Appl. Microbiol</u> 1:67-78 (1975).
40		DIFCO Manual, 10 th ed., DIFCO Laboratories, Detroit Michigan (1984).
41		Donnelly and Hartman, "Gentamicin-Based Medium for the Isolation of Group D Streptococci and Application of the Medium to Water Analysis," <u>Applied and Environmental Microbiology</u> 35:5786-581 (1978).
42		Edberg, et al., "National Field Evaluation of a Defined Substrate Method for the Simultaneous Enumeration of Total Coliforms and <i>Escherichia coli</i> from Drinking Water: Comparison with Standard Multiple Tube Fermentation Method," <u>Applied and Environmental Microbiology</u> 54:1595-1601(1988).
43		Edberg and Kontnick, "Comparison of β -Glucuronidase-Based Substrate Systems for Identification of <i>Escheria coli</i> ," <u>J. Clinical Microbiology</u> 24:368-371 (1986).
44		Feng and Hartman, "Fluorogenic Assays for Immediate Confirmation of <i>Escheria coli</i> ," <u>Applied and Environmental Microbiology</u> 43:1320-1329(1982).

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45	126	Gatti and Neviani, "A new Simple Medium for the Detection of <i>Enterococcus Faecalis</i> and <i>Enterococcus faecium</i> by Measurement of Conductance Changes" <u>Letters in Applied Microbiology</u> 17:72-74 (1993).
46		Hach Co. Catalog, p. 10, Loveland Colorado, May 1, 1986, Catalog Contained same items.
47		Hansen and Yourassowsky, "Detection of β -Glucuronidase in Lactose-Fermenting Members of the Family <i>Enterobacteriaceae</i> and Its Presence in Bacterial Urine Cultures," <u>J. Biol. Chem.</u> 20:1177-1179 (1984).
48		Hernandez, et al. "MPN miniaturized Procedure for the Enumeration of Faecal Enterococci in Fresh and Marine Waters: The Must Procedure," <u>Wat. Res.</u> 27:597-606 (1993).
49		Jay, <u>Modern Food Microbiology</u> , 4 th ed., pp. 113-121 (1992).
50		Kendall, et al., "Observations of the Relative Constancy of Ammonia Production by Certain Bacteria," <u>J. Infectious Diseases</u> 13:425-428 (1913).
51		Kilian and Bulow, "Rapid Identification of Enterobacteriaceae," <u>Acta Path. Microbiol. Scand. Section B</u> 87:271-276 (1979).
52		Knutson and Hartman, "Comparison of Fluorescent Gentamicin-Thallous-Carbonate and KF Streptococcal Agars to Enumerate Enterococci and Fecal Streptococci in Meats", <u>Applied and Environmental Microbiology</u> 59:936-938 (1993).
53		Little and Hartman, "Fluorogenic Selective and Differential Medium for Isolation of Fecal streptococci," <u>Applied and Environmental Microbiology</u> 45:622-627 (1983).
54		Maddocks and Greenan, "Technical Method: A Rapid Method for Identifying Bacterial Enzymes," <u>J. Clinical Pathology</u> 23:686-687 (1975).
55		Mooney, et al. <u>Testing the Waters: A National Perspective on Beach Closings</u> , Natural Resources Defense Council, pp. 1-67 (1992).
56		Peeler, et al., "Chapter 6- The Most Probably Number Technique," <u>Compendium of Methods for the Microbiological Examination of Foods</u> , 3 rd ed., pp. 105-120, Vanderzant and Splittstoesser eds., American Public Health Association (1992).
57		Robinson, B., "Evaluation of a Fluorogenic Assay for Detection of <i>Escheria coli</i> in foods," <u>Applied and Environmental Microbiology</u> 48: 285-288 (1984).
58		Sarhan and Foster, "A Rapid Fluorogenic Method for the Detection of <i>Escherichia coli</i> by the production of β -glucuronidase," <u>J. Applied Bacteriology</u> 70:394-400 (1991).
59		<u>Standard Methods for the Examination of Water and Waste Water</u> , 18 th ed., Greenberg et al. eds, pp. 9-96 to 9-73 (1992).
60		<u>Standard Methods for the Examination of Water and Waste Water</u> , 18 th ed., Greenberg et al. eds, pp. 9-45 to 9-64 (1992).
61		Thomas, "Bacterial Densities from Fermentation Tube Tests," <u>J. Am. Water Works Assoc.</u> 34:572-576 (1942).
62		Trepta and Edberg, "Esculinase (β -glucosidase) for the Rapid Estimation of Activity in Bacterial Utilizing a Hydrolyzable Substrate, <i>p</i> -nitropheny- β -D-glucopyranoside," <u>Antonie van Leeuwenhoek</u> 53:273-277 (1987).
63	✓	Trepta and Edberg, "Methylumbelliferyl- β -D-Glucuronide-Based Medium for Rapid Isolation and

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		Identification of <i>Escherichia coli</i> ," J. Clinical Microbiology 19:172-174 (1984).
64	<i>RG</i>	Ur and Brown, "Impedance Monitoring of Bacterial Activity," J. Med. Microbiol. 8:19-28 (1975).
EXAMINER <i>RG Brown</i>		DATE CONSIDERED <i>4/8/03</i>
<small>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.</small>		
<small>**Copies of references not provided at the time of this submission.</small>		

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Applicant(s): Edberg, Stephen C.

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U.S. PATENT DOCUMENTS

1651

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FOREIGN PATENT DOCUMENTS

Examiner Initial	Document No.	Date	Country	Class	Subclass	YES	NO

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OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

12G	1.	July 15, 2002 C.A.F.C. Ruling on appeal from the grant of C.P.I.-The Alternative Supplier, Inc.'s Motion for Summary Judgement of Non infringement of Edberg's U.S. Patents 5,780,259 and 5,429,933.

EXAMINER

12 GIRONIER

DATE CONSIDERED

4/8/03

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**Copies of references not provided at the time of this submission.